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BY THE HOUSE OF DELEGATES,

APRIL 28th, 1853.

Read and ordered to be printed.

R E P O R T

OF THE

COMMITTEE ON INSPECTIONS

TO THE

HOUSE OF DELEGATES.

ANNAPOLIS:
THOMAS E. MARTIN, PRINTER.
1853.

1871

BY THE

COMMISSIONERS

OF THE

COMMONS

HOUSE OF COMMONS

AND

HOUSE OF LORDS

1871

REPORT.

The Majority of the Committee on Inspections, to whom was referred the "Memorial from the Board of Trade of the City of Baltimore, for a change in the present system of inspections," beg leave to report.

That they have had the same under consideration, and now report unfavorably thereon. Your committee have fully examined into the proposed policy of repealing the present inspection system, and unhesitatingly give it as their opinion, that it would be prejudicial to the best interests of the agricultural and commercial community.

It is not seriously contended, in any quarter, that inspections should be absolutely abandoned. It seems to be admitted that the universal testimony of commerce, in favor of inspection systems, of some kind or other, is irrefragable. The present agitation has arisen altogether from a diversity of opinion, as to the comparative advantages and disadvantages of the several systems which now exist in different States of the Union. In a word, the issue has been made between the system of State appointments, and that of licensed inspections.

Your committee presume that the Legislature is not prepared to abandon the principle upon which all inspection systems are based. That principle is conceded to be this, that it is necessary to the interests of both the buyer and seller, that there should be an honest and competent judge, somewhere and somehow, authorised by law, to decide upon the quality of the merchandize offered for sale. It is universally admitted, that the judge or arbitrator should be absolutely impartial. The question then arises, on the threshold of the inquiry, how can that be best effected? The answer is obvious: by rendering him independent. It cannot be denied that inspectors, appointed by the State and responsible to the appointing power alone, must necessarily be independent. They can have no possible motive (short of absolute corruption,) to favor either the buyer or seller, as their official acts and the incomes of their offices can be controlled by neither. They depend upon no one for patronage; and are answerable to none but the constituted authorities of the State; excepting in cases of false inspection, where they can be made to answer, on their bonds, to parties receiving damage thereby. If leather requires docking, in order that the shoemaker or saddler may be thereby protected against the purchase of 5 per cent. of water, the State inspector has no terror of the

Commission Merchant, and discharges his duty "without fear, favor or affection," as he has sworn to do. If fish are unwholesome or flour unmerchable, the great community of consumers are guarded against imposition. It is perfectly manifest that a licensed Inspector will depend upon the caprices or selfishness of the trader for his employment and livelihood; and that the great body of the people, who are the purchasers, can never exercise a practical restraint over him. He must become the agent of the seller, rather than the protector of the consumer, or the umpire between both. This is an argument which will at once strike the apprehension of every man. Your committee believe, therefore, that licensed inspections will, in fact, in many cases prove decidedly worse than no inspections at all, as they will only tend to render fraud more easy and secure. To show that these views have a practical bearing, it may be well for the committee to call your attention to the fact, that fourteen hundred and eighty barrels and fifty-five half barrels of Mackerel, were condemned by the inspectors, in Baltimore, in 1852, all of which had been inspected in other markets, and which would have been sold to the people of Maryland, as branded in Massachusetts and other markets, had they not been detected and condemned by our State inspectors. A large number of barrels were also altered from No. 1 to No. 2, and from No. 2 to No. 3; all of which would have been so many gross impositions on the public. In 1842 there were but five thousand barrels of Mackerel sold in Baltimore; whereas, in 1851 there were over thirty thousand inspected.

Who would be likely to suffer, if the inspector depended for his daily living on the patronage of the dealer? Every reasonable man will answer, the consumer. The following table of inspections, for 1852, will show what has been saved to consumers by the faithfulness and judgment of our State inspectors.

Mackerel 22,337 barrels; 1535 condemned.

Herrings, 29,142 " ; 1224 "

Shad, 5065, " ; 121 "

The most of the spoiled fish are of the lower grades (Nos. 2 & 3,) which are principally intended for the country trade; so that consumers in the counties would be most imposed on by a repeal of the inspection laws. The committee would here also remark, upon another inevitable consequence of the adoption of the license system, which could not fail to add greatly to the discontent of the agricultural districts, if such impositions should unfortunately be practised. It is this: that the inspections would pass entirely into the hands of citizens of Baltimore, to the exclusion of all competition from the counties; and, therefore, should the new system fall into disrepute, this fact would still further exasperate those local jealousies which already exist, and which are very much to be deplored. It is to the interest of the counties, as well as of the city of Baltimore, that a cordial un-

derstanding should always be maintained between the great agricultural and commercial interests of Maryland. The inspectors, under the present system, are taken from the various sections of the State, and the selections are nearly always made from amongst those whose business pursuits and experience, fit them for the offices. This committee, consequently, feels authorised to deny the allegation of general incompetency which has been so broadly made. At all events if the consumers throughout the State should occasionally suffer from a bad inspection, under the present system, it would never occur to them to charge collusion between the seller and the inspector. The committee regard this suggestion as eminently worthy of consideration.

Your committee have also to urge upon your notice the importance of *uniformity* in inspections. It is that which gives character to the brands in the market. Your committee cannot perceive how it is possible to attain a uniformity in inspections by throwing the door open to a general competition, where there could be no concert of action whatever. Each licensed inspector would act by himself, and under a constant temptation to pursue his own interest. The rivalry, now witnessed amongst licensed auctioneers, would soon be the crying evil of the new inspection system. In the case of the auctioneers, that rivalry can produce harm to none; but it requires no great degree of sagacity to see that it would be altogether otherwise in the case of licensed inspectors. In this question of uniformity in inspections, our foreign trade is deeply interested. It is well known, that the license system, introduced by the New Constitution of New York, has not given satisfaction; and, that the experience of the last four years is against it. New York flour, as one example, has fluctuated and declined, in the London and Liverpool markets, since the introduction of the new system. The following comparative quotations will show, that under her license system, the State of New York has seen her staple export sink below the standard which a rigid system of State inspections has maintained for Philadelphia and Baltimore:

Flour, per 196 lbs.	1848.		1849.		1850.		1851.	
	s.	s.	s.	s.	s.	s.	s.	s.
Western Canal.	27.0	a 27.6	16.0	a 24.0	16.0	a 22.6	15.0	a 20.6
Philadelphia and Baltimore.	26.6	a 27.6	23.6	a 25.0	23.0	a 23.9	20.9	a 21.0

It will be seen from the above table, that the New York brands have never, since 1848, recovered their position; and that the Baltimore and Philadelphia brands maintain a steady precedence in the British markets.

In reply to this cogent fact, it has been urged, that the frequent appointments and removals of inspectors, for political

causes, also tend to produce uncertainty in the inspections. This is partially correct. It is admitted to be one of the necessary inconveniences of a republican government, where all official tenures are short, from the Presidency down to the humblest office. But can it be reasonably argued, that the temporary inconvenience, arising from fresh appointments, made once in four or eight years, may be at all compared to that perpetual irregularity and conflict which must ensue from the creation of rival inspectors under a license system? If the State inspection system is subject to periodical inconveniences, for the reason alleged, it can scarcely be denied that an unorganized and discordant body of licensed inspectors will not cure the evil complained of, but must, on the contrary, aggravate it.

The whole complaint in regard to the Tobacco Inspection, may be reduced to one point, viz: The want of sufficient accommodation, and the delays in the inspection of that article of merchandise, owing to the increased trade. The Legislature can surely remedy this inconvenience without at all interfering with the principle of the present system of inspections. And so it will be found in regard to all similar inconveniences complained of by other trades. It is well known, that the present inspection system was originated piece-meal, and at long intervals of time; and was extended and remodeled to meet the demands of the producers. Let that course be pursued now. If additional Inspectors be required, (which this committee is not prepared to say is the case,) let them be provided. If another Tobacco warehouse be needed the Legislature has the power to erect it. In regard to such recommendations, your committee will report at another time and in another form. The object of this report is simply to meet, in general terms, the general allegations contained in the memorial of the Board of Trade.

Before concluding this report, your committee feel it to be their duty to call your attention to the numerous and respectable petitions, protesting against any alterations in the inspection laws, or the mode of appointing inspectors, from large bodies of consumers and dealers, in the counties and the city of Baltimore. As far as any expression of public opinion has taken place, by petitions to the Legislature, it cannot be denied that it is against the prayer of the memorial.

Under these circumstances, your committee strongly recommend that the present well-matured and long standing system be preserved.

All of which is respectfully submitted.

JOSEPH WEATHERS, *Chairman*

